

1 HONORABLE RONALD B. LEIGHTON
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10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON
12 AT TACOMA

13 ANDREA SOLTESZ and STEPHEN
14 SOLTESZ husband and wife; DAWN
15 DENNISON and JEFF DENNISON, husband
16 and wife; and STEVEN SMITH, a single man.

17 Plaintiffs,

18 v.
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20 UNITED RENTALS NORTHWEST, INC.,
21 an Oregon corporation; WASHINGTON
22 STATE PATROL, an agency of the STATE
23 OF WASHINGTON; PIERCE COUNTY
24 SHERIFF'S DEPARTMENT, an agency of
25 PIERCE COUNTY; and BONNEY LAKE
26 POLICE DEPARTMENT, an agency of the
CITY OF BONNEY LAKE,

27 Defendants.
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Case No. 07-5198 RBL

ORDER DENYING PLAINTIFFS'
SECOND MOTION TO AMEND
COMPLAINT

This matter is before the Court on Plaintiffs' Second Motion to Amend Complaint [Dkt. #23]. For the following reasons, the Motion [Dkt. #23] is DENIED IN PART and GRANTED IN PART.

The deadline to file all motions to join new parties was June 30, 2008. [Dkt. #20]. On September 16, 2008, Plaintiffs filed their motion to add four minor children as Plaintiffs and to correct certain factual allegations.

Plaintiffs fail to sufficiently explain why they did not move the Court to add the minor parties before the June 30, 2008 deadline. Plaintiffs have also failed to address the fact the Court would prejudice the

1 Defendant by adding additional Plaintiffs well after the discovery deadline has passed. As the Defendant argues,
2 minor Plaintiffs may bring a separate action against the Defendants if they so chose. Plaintiffs' motion to add
3 minors as Plaintiffs is therefore DENIED.

4 Plaintiffs also seek leave of the Court to amend certain factual allegations in their complaint. The
5 correction of certain factual assertions, unlike allowing Plaintiffs to be added to the case, does not prejudice
6 the Defendant. Plaintiffs' motion to correct factual allegations in their complaint is therefore GRANTED.

7 It is therefore ORDERED that Plaintiffs' Second Motion to Amend is DENIED IN PART and
8 GRANTED IN PART.

9 DATED this 6th day of November, 2008.

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11 RONALD B. LEIGHTON
12 UNITED STATES DISTRICT JUDGE
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